

Indian Chieftain.

Published Weekly by
THE INDIAN CHIEFTAIN PUBLISHING COMPANY,
J. L. ADAMS, Editor.
J. L. ADAMS, Manager.
VINITA, IND. TER., MON. 25, 1886.

INTELLIGENCE has been received that Chief Bushyhead has been before the grand jury in Washington as a witness in the Phillips case. What he testified to is not generally known, but it is not unreasonable to suppose that it is about the same he gave in before the investigating committee of the house of representatives when he said he did not know who got the money. Judge Walker, of Flint district has likewise been before it. He is probably at home by this time, having been dismissed soon after his examination. A letter from the field of action states that he was informed that he would be needed in May next. Mr. C. H. Taylor was telegraphed for, and has doubtless been before the jury. How the matter has or will terminate, word has not been received. The belief of persons in Washington, who have learned the character of the testimony brought out by the jury, is that Phillips will be indicted.

"TIS FOOLISH" & C.
There are numerous occasions in the management of mundane affairs in which knowledge ceases to be a part of wisdom and innocent ignorance takes its place in the accomplishment of such excellent results that it is difficult to tell which should be the most admired. A change of places becomes possible in our admiration for its cleverness, and knowledge and wisdom with veiled faces take places at the foot of the class, and the old saw "ignorance is bliss" when it is foolish to be wise," assumes an invigorated meaning that throws a glamour over any degree of stupidity less than idiocy. To be innocently ignorant, without a compromise of dignity or respect, is an attainment reached only by a fortunate few who ought to constitute a new school of philosophers. The ability to pose one's self gracefully and artistically before an expectant public with an air of child-like ignorance, especially when the one who attempts the ruse can but believe that the public knows better, is indeed no common attainment, and well may be termed expedient wisdom. For the last few years we have had several examples of this faculty in the management of our public matters, and doubtless, other exhibitions of it will take place soon.

BEFORE THE GRAND JURY.
By sad experience, even if acquitted of the charge, Col. Phillips has felt the full force of the fact that a man's evil deeds "do follow after him." For the last few years we have had several examples of this faculty in the management of our public matters, and doubtless, other exhibitions of it will take place soon.

CHEROKEE ORPHAN ASYLUM.
Of the late war this institution is a result, and although the fact is an unpleasant reflection, we cannot be incensedly proud of it. The generous impulse that prompted its conception, the concert of action that brought it into existence, and made it a reality was a peace measure and a declaration of amity and reconciliation that provided a home for the orphaned children. The first census taken after the institution went into operation at the Male Seminary, showed the number of orphan children, under the age of eighteen years, to be something over 600, as recollected, and fifty or sixty could be provided for by taking the most destitute. Others who were miserably exposed, grew up to womanhood and manhood before there were vacant places in the nation for their reception. In the course of six or seven years the number of orphans increased until it was thought that a new school was needed to take care of them. Although long years have passed since the institution was founded, and those who were orphans then by reason of their age have ceased to be such from the same cause, it is a distressing fact that all those who have been orphaned since cannot be accommodated—not even the extremely destitute. That grand and generous impulse that conceived the idea, and the noble union of purpose that made the institution a reality ceased when it became such and turned into selfish channels the resources that were intended to make such an accommodation possible. It is a positive blushing fact that destitute orphans have been denied a home at the asylum for want of room and the means to take care of them—a burning shame upon the authorities of our government.

The treaty of 1866 sets aside, as an orphan fund, fifteen per cent. of all monies rising from the sale of lands. We have received for lands west of the Arkansas river \$648,000. Of that sum there should have been reserved \$97,200 for the education, clothing and the general care of the orphans of our country, and \$226,800 for school purposes. From the strip lands in Kansas we have realized as much perhaps as we have from lands west of the Arkansas river. It would be a safe assertion to say that no one in this nation knows what we have received. All the proceeds thus accruing have been turned into one channel, and the orphan and school funds have been cheated out of their shares. Such is the fact, although our constitution says "all acknowledged treaties shall be the supreme law of the land" and the very authority that perverted these funds from their proper use have sworn to sustain that constitution; such cannot be said. The orphan children can be provided for, grow up in ignorance, in want, in inhuman treatment and degradation, just as a disreputable popularity may be gained at the expense of their helplessness and want of funds.

CONSTITUTIONAL LAW.
There is no country in the world in which constitutional law is more discussed than in the Cherokee nation; indeed there seems to be but little attention paid to any other kind of law. Yet, after all, there is no country in the world where constitutional law is treated with such little respect as in the republic of the Cherokee nation. It seems to be of but little practical moment as to what the constitution actually says; as a guide of action in the administration of our public affairs, it is well nigh a dead letter. It is generally looked upon, however, as possessing a kind of inapproachable sacredness, and it is made to operate like a house of refuge. All that an officer has to do to protect himself from the consequences of mal-practice, is simply to flee to the constitution, and by stretching the constitutional blanket a little, he covers himself and is sacredly safe.

Our government is divided into three departments, the Executive, Legislative and the Judicial. This division is not arbitrary, but is founded on rational principles. What is a tyrant? A man who claims the power to make, to interpret and enforce the laws by which his fellow citizens are governed. Anyone can see that it would be a dangerous thing for these three attributes to be combined in the same man, or in the same set of men. It is not safe for the Executive to exercise any of the functions of the Judicial. It is equally perilous for the Legislative to have anything to do with either the Judicial or the Executive functions. Yet what are the facts in the case? There is, in our country, a continual conflict and war between these departments, especially between the Executive and Legislative. The Judicial is the only department that has any respect for the limits of its authority; indeed its modesty in many instances amounts to cowardice. These three governmental creatures behave toward each other very much like three cubs in a pit. The Judicial is a coward, and although the fact is an unpleasant reflection, we cannot be incensedly proud of it. The generous impulse that prompted its conception, the concert of action that brought it into existence, and made it a reality was a peace measure and a declaration of amity and reconciliation that provided a home for the orphaned children. The first census taken after the institution went into operation at the Male Seminary, showed the number of orphan children, under the age of eighteen years, to be something over 600, as recollected, and fifty or sixty could be provided for by taking the most destitute. Others who were miserably exposed, grew up to womanhood and manhood before there were vacant places in the nation for their reception. In the course of six or seven years the number of orphans increased until it was thought that a new school was needed to take care of them.

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clerk is doing under the ejectment act. Now the clerk is an officer of the court; that is, he belongs to the judicial branch of the government, yet he sits in his office, issues an executive order to the sheriff, and without any chance for a hearing, a poor fellow is thrown headlong out of his own house. This is the judicial doing what can only be expected from the Executive, and it is a very bad piece of Executive conduct, too. But worst of all, see what the Executive is doing with the Judicial. Let a supreme judge, or any other kind of a judge, do anything which the Executive may think is not right, what is the result? Why, the chief jerks him down from the bench, and suspends him—that is hangs him up to dry like a "possum" pickled. Let the supreme court issue an execution; the chief assumes the prerogative to tell the sheriff what property he shall, and what property he shall not, levy upon, or whether he shall obey the court and serve the execution at all or not. In other words the Executive "gets away with" the Judicial cock just whenever he pleases. The dismissal of Albion Spears from an executive clerkship is a very little matter; the whole thing is not enough to make a ripple upon the waters in any other country than ours. Yet it was considered a very great and dangerous infringement of the constitution. This seems like straining at a gnat and swallowing a camel. While it is a notorious fact that there is no regard paid to the constitution in so gray matters as we have above pointed out—by the Executive especially—it does seem very piddling kind of business to raise a racket about a clerk on constitutional grounds.

ALLOTMENT.
From present indications it does seem that the allotment of lands in severalty is going to be forced on the Indians whether or no. It seems too that we are going to be forced to it on terms not our own; that we are going to be forced to take so much per head and then forced to sell the remainder to United States citizens at a certain price, all because we have more land than we need, they say.

That all Indians are opposed to allotment is not true, but that all are opposed to allotment on a dictated plan by which they are forced to sell that which is in every legal and moral sense their own, at a price in which they have no voice and which is very far below the true valuation, that all Indians are opposed to such swindling and wickedness in high places, as this, no one will for a moment doubt. Who would not be? "In God we trust" is written upon the United States coin, but in the same "good book" where we learn to trust in God, we are told to "Trust in the Lord and do good," and it is reasonable to suppose that it means to do good even to the Indians.

We cannot think that the moral sentiment of the United States government and people is so corrupt and so dead to the feelings and sense of justice, that a law will be enacted and executed, that will do such gross injustice to a people who have already submitted to repeated acts of injustice.

Will God-fearing and humanity-loving people countenance such robbery; for such it would be? If such is done what will become of the pledges of this great United States government—pledges solemnly made to a weak and helpless, and in many respects an ignorant people? Can the great government of the United States that makes the boast of being one of the greatest governments under the sun; great intellectually, great religiously and great in material wealth? Can this government stoop so low as to listen to the few Shylocks in and around the Indian reservation, his last home, his own, we say can this great government help these robbers in their purpose to take that which truly belongs to the Indian and appropriate it to the greed of an avarice that will never be satisfied?

If allotment must be made for the good of all concerned, pray let the Indians do it themselves and let them have and keep all that is their own, disposing of it when they please and at whatever price they can get, only in such cases where it is thought best to make it inalienable for the protection of the less civilized. I would here say to the Cherokee, the tribe to which I belong and the tribe which stands in the foremost rank and is considered and justly so I suppose, the most civilized and intelligent and we think not much behind anybody else, especially in Arkansas, Missouri, Kansas etc., I say let us, though it may be not exactly to our liking, let us proceed as early as possible and do our own allotting in our own way and not have it forced upon us according to some one else's way. Do this and I am yet of the opinion that the United States government will recognize our work and give to each individual a patent for what falls to him. However much the idea of holding the lands in common may be

dear to us, because it has been so during all the time past, we cannot afford to sit still with folded arms and see what is ours taken from us and our children. The onward move of progress and civilization of the United States government and the policies of the government and especially the graspings of this American people after wealth, are opposed to, and I might say in some respects, enemies to our present land tenure system—that is, all things in common. If not now the time is sure to come when this state of things will come to an end. The pressure with each succeeding year is becoming greater and the time will come when we can hold out no longer. The time may be just now upon us. Let us look to our interests, and if to divide our lands in severalty is the best for ourselves and for our children let us do so at once and so make sure of all that is our own if possible. I say if possible, for it may be we have now waited so long that the greed of some of the Anglo-Saxons around will not allow us to keep what is our own.

It is certainly time for us now to act in some way. I am sure that if it were a matter left to the Indian entirely, he would say let us hold our domain in common as all our fathers have done, but it is a question not left to the Indian whether he wishes to divide what is his own or hold it in common. The question now comes to be whether the Indians are going to be allowed to hold their own.

Now the action upon the part of the Indians which will be most likely to secure to them all that is their own is certainly the action for them to take.

If we make no move, allotment will be forced upon us and a part of our domain taken; if we allot ourselves, we stand a chance to hold what is our own.

The time has come it seems to me that the true thinking and informed men of the nation should speak out so plainly and so loudly that the less informed could be made to see what is coming upon them and be induced to act now for their best interest.

CHEROKEE BY BLOD.

A LETTER FROM THE COMMISSIONER.

MR. EDITOR:—Having received from the Indian Department a letter which may be of general interest, I herewith tender the same for publication in the CHIEFTAIN.

D. W. C. DUNCAN, Esq., Vinita, Indian Territory, S. B.—I am in receipt of your communication, dated February 24, 1886, in which you refer to the case of a Cherokee citizen having a claim of debt against a citizen of the United States living in the Cherokee nation under a permit, which case the Cherokee has carried before the Indian agent who assumes jurisdiction to hear and determine the same.

You ask if it is a proper case to come before the agent, and if the Cherokee courts is not the proper place in which to try the case. In reply, I have to state that I know of no provisions of law or treaty which give the Cherokee courts jurisdiction, unless both parties to the suit are Cherokee citizens by birth or adoption.

A citizen of the United States employed by a Cherokee under the permit law, acquires no right except that of residence in the nation. He cannot appeal to the courts for redress, and by consequence, cannot be sued in said courts.

The Indian agent has no authority to hear and determine such a case for the purpose of rendering a judgment, such as might be rendered by a court of competent jurisdiction, but he may do so for the purpose of ascertaining whether the white man is a proper person to remain in the Indian country, or for the purpose of inducing the party in fault to make proper settlement.

Very respectfully,
J. D. C. ATKINS,
Commissioner.

Literary Notes.
The March number of Brainard's Musical World is on our table, more interesting than ever, and those who wish to be well versed in musical matters should not fail to secure it at once. This number contains two dollars worth of first-class music, as follows: "A New Duke in Town," by Max Verner; "Bocaccio Waltz," by Suppe; "Manola," arranged by J. C. Macy; "An Old Maid," by J. L. Molloy. Subscription price \$1.50 per year; single copies 15 cents. Address S. Brainard & Sons, 145 and 147 Washington avenue, Chicago.

Frank Leslie's Sunday Magazine for April is an exceedingly interesting number, containing articles to please all tastes. It is especially rich in engravings from paintings and drawings, and the art lover will also find congenial matter in the sketch of Leonardo da Vinci, with its two accompanying portraits.

The Protestant Sisterhoods of New York" will attract much attention, as it refers especially to the Sisters of St. Mary, whose convent at St. Gabriel at Peekskill has been much talked about recently.

"Church-going in Virginia 1765," by John S. Patton, is a local article of great antiquarian interest. There are portraits of Bishop Hannington, who is supposed to have been martyred in Africa. Arch-bishop Gibbons of Baltimore, the second American Cardinal, and the late Vice-president Hendricks whom Dr. Talmage eulogizes as a "Christian Politician." There are many other articles of present and future interest, and the number is full of beautiful pictures, which please all eyes.

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And Everything kept in a First-Class
Dry Goods and Boot and Shoe House.
We are positively selling the nicest line of goods in the city, at prices much lower than Vinita has ever known before, and any person in need of any thing in our line should call and take advantage of our low prices.
WE SELL ONLY FOR CASH.

The prolonged winter made ice-yachting possible even into what is generally regarded as spring, so that the attraction and perils of this peculiar amusement are still fresh in the mind. Mr. Stephens, in the April number of Frank Leslie's Popular Monthly gives the history of these vessels, their present popular forms, and describes vividly the exhilarating sensations of a spin over the glassy ice in one of these fleet vehicles. Mr. F. B. Mayer takes us from the ice and its pleasures to the balmier Chesapeake and introduces us to the old towns and mansions of the western shore of Maryland giving illustrations from his own artistic pencil. Lily Higgin, under the title of "Romance of a Court," gives a most interesting account of the late King Alfonso of Spain. F. C. Valentine initiates us into the mysteries of "Indian sign language in Central America." Lawrence Hutton revives recollections of "Infant Phenomena" who have pleased with their precocious talent our forefathers or ourselves, from the days of young Betty, brilliant in boyhood, and dull in maturity. The story of the artist, Gustave Dore, is graphically told by H. Tyrrell. "Meals and Meal-time" is a subject certain to attract, while "The Frenchwomen in the East" tells of two recent French travelers of the fair sex. A very curious article by a naturalist on what are popularly called Inca's Eyes solves all the mystery about these curious objects, concerning which so many absurd stories have been running the rounds. The stories are all good. Besides the "Daughters of Cain," by Etta W. Pierce, there are short stories by Walter Edgar McCann, C. L. Hildreth, George Kirby, Elinor Brooke and Clarence M. Boutelle.

A new roller mill is to be built at Neosho this season.

The senate has passed a bill setting apart for ten years a strip of land two miles wide along the east line of Colorado, to be used as a national live stock highway.

N. Skinner is still in Texas figuring on cattle while his employees are figuring on low prices for groceries. We are succeeding, as a visit to our store will demonstrate—Employees of N. Skinner & Co., the grocers.

Large stock of new stationery just received at this office. Step in and examine.

Marilla note books at this office. These goods are excellent and cheap. Write for prices.

Miscellaneous Escape.
W. W. Reed, druggist of Winchester, Ind., writes: "One of my customers, the Louisville Clerk, Bartimaeus, Randolph Co., Ind., was a long sufferer with constipation and was given up to die by her physicians. She heard of Dr. King's New Discovery for consumption and began buying it of me. In six months' time she walked to this city, a distance of six miles, and is now so much improved she has quit using it. She feels she owes her life to it." For trial bottles at W. C. Patton & Co's Drug Store.

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The BUYER'S GUIDE is issued March and Sept., each year. 32 pages, 8 1/2 x 11 1/2 inches, with over 3,500 illustrations—a whole picture gallery. GIVES Wholesale Prices direct to consumers on all goods for personal or family use. Tells how to order, and gives exact cost of everything you can see, drink, wear, or have in your house. These INVALUABLE BOOKS contain information gleaned from the markets of the world. We will mail a copy FREE to any address upon receipt of 10 cents to defray cost of mailing. Let us hear from you. Address: CHAS. J. STUCKEY, Prop., 504 ATLANTA, GA.

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IN GROCERIES,
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STRICTLY CASH BUSINESS,
both as to buying and selling. The advantage, to be derived from this plan accrues to both customer and merchant and the former is not slow to appreciate this fact.

We are going to sell our goods at as small a profit as we can afford and shall thank our patrons with universal courtesy. Give us a call.
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VINITA, IND. TER.

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References:—St. Louis National Bank, St. Louis, Theo. Barlow & Co., Grier Bros., Commission Co., St. Louis, Mo., Cyrus H. McCormick, President McCormick Harvesting and Machine Co., Chicago, Ill.

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Highest Market Price Paid for Country Produce. Give me a call before purchasing and I will save you money.
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